

## THE REDEPLOYMENT OF STATE POWER IN THE SOUTHERN MEDITERRANEAN - IMPLICATIONS FOR LOCAL GOVERNANCE

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ARTICLE

### Introduction

The Arab uprisings since 2011 have pointed to the need to “think carefully about how the modern state has changed, is being adapted, or has been superseded” (El-Mahdi and Lust, 2018: 315). Taking this insight as my starting point, and based on my first-hand research on local governance in the region over a 15-year time span, and in Morocco in particular (Bergh, 2013; Bergh, 2017), I would like to use this space to critically reflect on the nature of the (Arab, but in particular the Moroccan) state. I will review the evidence for the argument that despite the Arab Spring, authoritarian state power is still deeply entrenched, and in fact has been “redeployed” in various arenas, including at local governance levels. This “redeployment” has taken place through (neo-liberal) decentralisation reforms and urban planning approaches which – seemingly intentionally – in many cases negatively affect the authority and legitimacy of local governments and their elected representatives. This further weakens public accountability towards citizens. However, this redeployment also generates political struggles and societal resistance which in turn open up opportunities for its contestation. I will illustrate the argument with examples mainly from Morocco. More research is needed to establish to what extent these dynamics are taking place also in other countries of the Middle East and North Africa region.

### “State redeployment”, “upgrading authoritarianism”, and specialized agencies

Let us start by defining some key terms used here. By redeployment, I refer to Guazzone and Pioppi's (2009: 6-7; cited in Bergh, 2012: 304) use of the term, i.e. that the state is increasingly relying on non-state intermediaries for service provision, such as the private sector and NGOs. This is taking place in the context of neo-liberal and New Public Management reforms that aim to incite institutions and individuals to conform to market logic in order to – at least in official discourse – increase efficiency and effectiveness of service provision. However, as Brenner and Theodore (2002: 345; cited in Bergh, 2012: 306) have argued, such reform entails not so much the rolling back of the state but rather its political, institutional, and geographical reorganization. In the Middle East and North Africa, this dynamic can thus coexist with what Steven Heydemann has called “upgrading authoritarianism” (Heydemann, 2007), which means that Arab regimes have adapted to pressures for political change by developing strategies to

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contain and manage demands to democratize; for example by expanding political spaces such as electoral arenas, where controlled forms of political contestation can occur (Heydemann, 2007: 1). Although Heydemann wrote in 2007, I would argue that this trend is still taking place in Morocco, where the “Arab Spring” was short and contained by the King through constitutional reform.

In the area of local governance, the redeployment dynamic can be observed well at the level of sub-national governments, i.e. at regional, provincial, or municipal level. Such governments are progressively replaced or complemented by professionalized quasi-public agencies responsible for attracting investment, and promoting economic development and public services; and which are often outside the sphere of democratic control. Such agencies are granted sovereignty in a particular territory, what Neil Brenner calls “new state spaces” (2004), i.e. “state-produced exceptional zones of government to the benefit of private capital that exist inside or alongside spaces of conventional government” (Boogaert 2018: 134). In Morocco, examples of such spaces are the Bouregreg Valley between the medinas of Rabat and Salé which consists of up-market residential units, marinas, hotels, etc. Koen Boogaert (2018: 123-161) gives a detailed account of the political dynamics involved around the creation of the new state agency in charge of this mega-project. I would like to focus here on the fact that the Agency, whose director was appointed by King Mohamed VI, was given all the responsibilities previously held by the local municipalities and the Urban Planning Agency of Rabat-Salé, thereby removing its decisions from the effective oversight of locally elected politicians. A similar case is the Tangier Med Special Authority which governs the territory around the new port, and many more examples can be found in and around Casablanca.

#### Decentralisation reforms in Morocco – is “advanced regionalization” really advanced?

The creation of such new spaces is happening in parallel with the broader dynamic of decentralisation, i.e. devolution of state power to the local levels (see Harb and Atallah, 2015). For example, based on its 2014 Constitution, Tunisia held its first free local elections in May 2018. As Kherigi (2017: 5) points out, “the Arab Spring was partially a desperate cry for help by marginalized groups and regions against highly centralized political and economic systems in which all power is concentrated in a few hands at the center.” In Morocco, social protests for better service delivery in marginalized areas have been occurring for decades, and these protests reached the major cities in February 2011, when young graduates and middle-class activists but also Islamists added political demands to the socio-economic ones (see Bergh and Rossi Doria, 2015). It was thus no surprise that the King, in order to defuse tensions, framed the 2011 constitutional reform mainly around decentralisation reform, called “advanced regionalization”, enshrining the principles of administrative autonomy of local governments (*libre administration des collectivités locales*), and subsidiarity (chapter 9, articles 135-146). This reform had been on the domestic agenda before Morocco’s Arab Spring, and was arguably driven by the need to settle the Western Sahara issue (see Iraki and Bouabid, 2015; Bergh, 2016, for details).

The reform included the reduction in the number of regions from 16 to 12, with directly elected regional assemblies replacing previously indirectly elected ones. The regions’ own competencies were substantially expanded to include economic development, vocational training and employment, non-farming rural development, regional transport, culture, environment, spatial

planning and development, and partnerships. The regional *wali* (appointed by the King and representing the Ministry of the Interior) no longer holds budget spending powers, which are now held by the (elected) president of the regional assembly. However, many observers believe that the wali nevertheless continues to be the focal point for all investment and development policies (Bergh, 2016: 9; Houdret & Harnisch, 2018: 17).

In terms of regional planning, the regional councils, which were for the first time directly elected in the September 2015 elections, are deciding on their own budgets and 6-year Regional Development Plans (RDPs), based on programming contracts with the Ministry of the Interior, and deconcentrated sectoral ministries (though not all sectoral ministries have regional offices yet). Regional Project Implementation Agencies have been established under the leadership of the president of the regional assembly in order to help with project design and implementation (Bergh, 2016: 9-10). However, as Houdret and Harnisch (2018: 13-14) point out, in three regions, these institutions still compete with the already existing and powerful development agencies (*Agences de Développement*) which are used to channel important sums to strategically relevant border regions under centralised government control. They include the Eastern (Oriental) region (bordering Algeria), the North (including the Rif region) and the South (including the Western Sahara). There has been talk of shutting them down but no decision has yet been taken.

Another (deliberate?) legal grey area lies in the fact that the region does not have any authority over the provinces and *communes* – the three separate organic laws leave room for confusion, power struggles, ambiguity, and interpretation. This may allow the King to play the role of arbiter between various power centres and interests, and significantly reduce the scope for accountability between levels and towards the citizen. With regard to planning though, the organic law specifies that the RDPs will determine the development plans at the other levels. In the 2015 Organic Law on the *commune*, the former “Municipal Development Plan” is now called “*Commune* Action Plan” which implies that the *commune*’s role is no longer strategic but only to execute (regional development) plans (Bergh, 2016: 10; see Royaume du Maroc 2016 on the Organic Law 113-14, Article 78). Most importantly, we can still observe large regional inequalities between richer and poorer regions (see DEFPPF 2015 for an innovative study by the Ministry of Finance which mapped these inequalities through the lens of access to human rights).

We could thus argue that the “advanced regionalization” agenda in Morocco represents an exercise in “upgrading authoritarianism”, as it provides new spaces for political competition through elections, while at the same time maintaining the power of the *makhzen*, the power structures surrounding the King through the clever creation and use of legal ambiguities. The trend towards “agencification” described earlier reinforces this dynamic and could be understood as a ‘back-up’ system for the *makhzen*.

### The right to petition a cause for cautious optimism?

However, I would like to end on a more optimistic note. The organic laws also give citizens the right to submit petitions at all three sub-national government levels (in addition to the central

government and Parliament). The councils are obliged to respond to petitioners and to publish the minutes of the council meeting and its decision on the eligible petitions. This is expected to build citizens' trust in their new regional governments and to foster a more participatory local development process, also addressing the demands of the protest movements who mobilized in 2011 (Bergh, 2016: 10). The petitions submitted so far focus on basic service delivery issues, thereby giving voice to the demands of otherwise neglected segments of society. However, a high proportion of petitions have been rejected on the basis of non-compliance with formal criteria, and the authorities are slow in responding to those that have been admitted, or not responding at all. There is thus a risk that the right to petition is used by the *makhzen* as a controlled form of political contestation. The real cause for optimism may therefore rather lie in the fact that petitions enable people to become more politically aware, i.e. petitions can be used by civil society actors to engage in civic education processes (Francesco Colin, personal communication, 7 and 14 June 2018). In any case, further research is needed to gauge the extent to which the use of petitions can fill the local accountability gaps created by the dynamics describe above.

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